

R E M A R K S

Claims 1-25 are presented for reconsideration.

In the Office Action, the Oath was declared defective; claim 1 was objected to and claims 1-25 were rejected under the judicially-created doctrine of obvious-type double-patenting as being unpatentable over claims 1-9 of U.S. Patent No. 6,663,981.

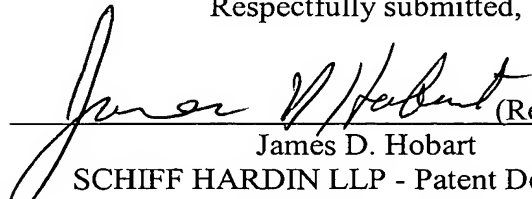
By this amendment, claim 1 has been amended to overcome the objection. A new Oath is attached, which identifies the application by Serial No. and is signed by the three inventors.

To overcome the rejection on double-patenting, attached herewith is a Terminal Disclaimer and a check for \$110 (the fee required by 37 CFR 1.20(d)). The Terminal Disclaimer is signed ppa (per procura or by procuration) by a person who can bind the company Vacuumschmelze GmbH & Co. KG, who is the Assignee of the application and the patent. In addition, attached to the Terminal Disclaimer is a copy of the commercial registration entry, wherein Vacuumschmelze GmbH changed its name to Vacuumschmelze GmbH & Co. KG. A translation of this page from the commercial registry is also attached herewith.

In view of the filing of the Terminal Disclaimer, it is respectfully submitted that the double-patenting rejection has been overcome and should be withdrawn.

It is submitted that claims 1-25 are in condition for allowance and further reconsideration to that end is earnestly solicited.

Respectfully submitted,


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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on June 30, 2004.

James D. Hobart

Name of Applicants' Attorney



Signature

June 30, 2004

Date